

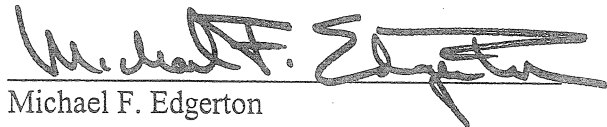
Commonwealth of Massachusetts
The Trial Court
Juvenile Court Department

Standing Order 01-10

Scheduling Care and Protection and Termination of Parental Rights Trials

1. **Purpose.** The purpose of this Standing Order is to establish procedures and standards and promote uniformity to ensure that care and protection and termination of parental rights trials are completed within a reasonable time after commencement of trial.
2. **Applicability.** This Standing Order is applicable to all Divisions of the Juvenile Court and to all care and protection and termination of parental rights trials.
3. **Definitions.** *Commencement of Trial* - the date when testimonial evidence is presented by witnesses called to testify before the court; the date that a document is submitted to the court, accepted and admitted into evidence as an exhibit. *Close of Evidence* - the date when all parties have completed the submission of all evidence.
4. **Length of Trial.** All care and protection and termination of parental rights trials will conclude no later than thirty (30) calendar days after commencement of trial. Trial dates should be scheduled for consecutive days, whenever possible. Potential exhibits should be "marked for identification" prior to the commencement of trial whenever possible.
5. **Cases Under Advisement.** An adjudication that a child is, or is not, in need of care and protection, or an order terminating, or a decision not to terminate, parental rights shall be made no later than thirty (30) days after the close of evidence.
6. **Emergency Extension for Trial or Cases Under Advisement.** In extraordinary circumstances, the justice presiding over the trial may request approval from the Chief Justice to extend the time for trial, or extend the time for adjudication, order or decision, for an additional fifteen (15) calendar days. Such request should be submitted in writing, should identify the extraordinary circumstances that necessitated the request and should be submitted no later than ten (10) calendar days prior to the expiration of the thirty (30) day period, except when the request for additional time is due to unforeseen circumstances which occur subsequent to the ten (10) calendar day period.
8. **Dedicated Trial Sessions.** Dedicated trial sessions for care and protection and termination of parental rights cases are encouraged where there are available judicial resources, sufficient attorneys to represent the parties and where multiple demands upon court time do not make such sessions impractical and inefficient.
9. **Effective Date.** This Standing Order and the procedures and standards contained herein shall apply to all care and protection and termination of parental rights trials commenced on or after September 1, 2010.

Dated: July 13, 2010
Effective: September 1, 2010


Michael F. Edgerton
Chief Justice